

**CITY OF HIGHLAND, KANSAS  
REGULAR COUNCIL MEETING  
CITY HALL  
June 8, 2016  
7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** Dana Clary, Ben Gilmore, Matt Peterson, and Jerry Twombly

**COUNCIL MEMBERS ABSENT:** Charles Batchelder

**CITY EMPLOYEES PRESENT:** City Attorney Ted Collins, City Clerk Joann Karn, City Police Chief Brandon Whetstine, City Maintenance Aaron Leach and Assistant City Clerk Melanie Hollabaugh

**GUESTS PRESENT:** Jerre Cole, Scott Huss, Mike Batchelder, Dorothy Diveley, Russell Karn, Randy Snyder, David Diveley, Tyler Diveley, Dennis Lentz, Rocky Ruhnke, Paul Rush, Mary Lou Glynn and Chuck Simmons

**PRESIDING:** Mayor Scott Sisk

7:00 p.m. Mayor Sisk called the regular city council meeting to order with a quorum present.

Ben Gilmore moved and Dana Clary seconded a motion to approve the May 11, 2016 regular meeting minutes. Motion carried 4-0

Matt Peterson moved and Ben Gilmore seconded a motion to approve the bills for the period of May/June 2016 as presented. Motion carried 4-0

**PUBLIC COMMENTS:** David Diveley expressed concern regarding the newly install water drainage at Virginia and Canada which he believes the water will not drain properly and the creation of the drainage ditch that removed approx. two feet of dirt is leaving 18" of dirt to cover his water line. Following discussion, Jerry Twombly moved and Ben Gilmore moved to have Chuck Simmons coordinate the use of a fire truck to test the water drainage. Motion carried 4-0

**COMMUNICATIONS AND REPORTS:** Mayor Sisk addressed a parking problem around the city ball park, Vermont Street and North Avenue. Dana Clary will communicate to the coaches and teams the area/rules of parking and the home coaches are responsible for closing the street gates. Matt Peterson moved and Ben Gilmore seconded a motion for the south side of the 500 block of Vermont Street, which is currently "No Parking," be changed to painted handicap parking spaces and "No Parking" signs installed on the north side. The traffic map is to be updated. Motion carried 4-0

Matt Peterson moved and Jerry Twombly seconded a motion to accept the resignation of Tiffany Rhodd and Kari Clary. Motion carried 4-0

The council agreed to advertise by flyer, website, and social media for an individual to oversee the opening/closing for events, cleaning and other details, as needed, for the overall operation of the community center.

The council agreed to allow Chuck Simmons to use the city pickup to transport fireworks to Highland for the city's celebration as Mr. Simmons has done in past years.

Mayor Sisk showed samples of floor finishing's and will provide a bid at the July meeting for refinishing the community center floor. The bid will be from the company that is finishing Emmett Cole's new building floor.

The Westar franchise agreement renewal is tabled until the July meeting.

Ben Gilmore moved and Dana Clary seconded a motion to pay the back taxes (\$2,444.18) on the former Cluck property, 507 W Missouri, which is now owned by the city. Motion carried 4-0

Attorney Collins explained the new state legislative mandate of all municipal primary and general elections to take place at the same time as federal/state elections and the effect the new law has on the election cycle, which will necessarily extend the terms of the present mayor and council from the traditional may council meeting, per the city ordinance, to the following January. Attorney Collins prepared Charter Ordinance No. 7 to address these issues and recommends passage. Ben Gilmore moved and Dana Clary seconded a motion to approve Charter Ordinance No. 7 as written. Roll call vote: Jerry Twombly-yes, Ben Gilmore-yes, Matt Peterson-yes and Dana Clary-yes Motion carried 4-0

Attorney Collins is working with the surveyors on the former Matthias/Saddle Club property area which may have an error in the legal description that could delay the process; although, since the city owns the property, the planned project timing would not be affected.

Ben Gilmore moved and Matt Peterson seconded a motion to allow online payments using the URL provided by Kansas Information Consortium (Kansas.gov) and adding a disclaimer on the city's website stating they are leaving the city's website and the city is not responsible for the content of the Kansas.gov site. Motion carried 4-0

Clerk Joann Karn provided the remaining training dates for the Summit software. Court – June 14 & 15; Utility Billing – June 23 & 24 and Meter Reader – June 30.

Chief Whetstine read his report: 4 arrests; 11 citations; 17 warnings; 29 calls for service; 3 assist to other agencies; 1 accident report; 11 criminal investigations; and inmate transported from Topeka to Doniphan County for Highland warrant. Kansas Highway Patrol, Trooper Donald Hughes, will be teaching AAA Driver Improvement Program July 23, 2016 at Highland Community College Wellness Center. Chief Whetstine stated Officer Williams was involved in an accident and he is currently off work. The police truck is at Officer Williams home and damage estimates will be received.

City Maintenance Aaron Leach provided the monthly handout of activities completed and upcoming projects to complete. Due to vandalism, the council asked Mr. Leach to coordinate with Mayor Sisk the ordering of replacement posts and signs and to have a sufficient number in inventory.

**COMMITTEE UPDATES: Finance Committee** –Ben Gilmore: Reviewed the city's credit card spending limits and suggested more appropriate limits be established. Ben Gilmore moved and Matt Peterson seconded a motion to submit a letter to Banker's Bank requesting the credit cards limits be changed to reflect \$2,500 for the maintenance card, \$1,000 for the clerk card, and \$1,500 for the police department card. Motion carried 4-0

**Law Enforcement Committee** – Jerry Twombly: Nothing

**Parks and Rec. Committee** – Dana Clary: Minier Park - The basketball court would be the first area to be completed and the bathroom/shelter house would be the second phase which may be funded in part by a grant.

Following review of the bids, Matt Peterson moved and Ben Gilmore seconded a motion to accept the \$28,952 concrete bid of Nathan Fuemmeler Flatwork, Troy, KS, for the tear out 60 ft x 110 ft of asphalt and haul off property; replace with 4-inch thick concrete and all concrete will be 4,000 psi mix with 6 x 6 2.9 mm steel matt reinforcement throughout entire slab. Motion carried 4-0

Matt Peterson moved and Ben Gilmore seconded a motion to approve purchase of the Pro Dunk Diamond Basketball System goals and accessories, approx. \$2,199 each, from Pro Dunk Hoops, Tomball, TX. Motion carried 4-0

Ms. Clary noted Terry Moran will begin work in Degginger Park June 9th and a 4<sup>th</sup> of July meeting will be held next week.

**Street and Alley Committee** – Charles Batchelder: Absent

**Water and Sewer Committee** – Matt Peterson: Nothing

Mayor Sisk called for a 5-minute break (8:05 p.m. to 8:10 p.m.)

### **EXECUTIVE SESSION:**

Ben Gilmore moved and Matt Peterson seconded a motion to recess into executive session at 8:10 p.m. for 15 minutes to discuss non-elected personnel for the protection of the privacy rights of the protected employee(s) and the open meeting will resume in the city council chamber at 8:25 p.m. Motion carried 4-0, to remain: City Attorney; and Asst. Clerk & Clerk excused at 8:17 p.m.

Matt Peterson moved and Ben Gilmore seconded a motion to recess into executive session at 8:27 p.m. for 30 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and the open meeting will resume in the city council chamber at 8:57 p.m. Motion carried 4-0, to remain: City Attorney

Matt Peterson moved and Ben Gilmore seconded a motion to recess into executive session at 8:57 p.m. for 5 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and the open meeting will resume in the city council chamber at 9:02 p.m. Motion carried 4-0, to remain: City Attorney

Matt Peterson moved and Jerry Twombly seconded a motion approving the request of RWD#6 for connection to the city main, for the purpose of line flushing and pressure testing, as follows:

1. The connection would be installed as a permanent emergency connection to serve both entities, as opposed to a temporary connection.
2. The specifications for the permanent emergency connection would generally follow that contained in the email from RWD#6 engineer, would follow KDHE requirements, and would be subject to the final review and approval of our engineers as part of the agreement.
3. The cost of the connection would be at the expense of RWD6.
4. City personnel would be allowed to inspect the installation/construction/operation.
5. The city would supply water, as needed and as requested by RWD#6, with the general understanding that the flow rate would not exceed 100 gallons/minute and that the usage would be coordinated with city staff, so as not to interfere with the water needs of the city. RWD6's proposed usage of up to 2 million gallons should not be an issue, but if more was necessary, the city would work with the district to do so.
6. The city would supply the water to RWD#6 at a below-wholesale cost of \$2 per 1,000 gallons.
7. An additional agreement would need to be reached concerning the terms of any emergency usage in the future, including any needed maintenance of the connection structure.

Motion carried 4-0 (Attorney Collins will draft a letter to RWD 6)

Paul Rush, RWD 6, was in attendance and indicated they would not agree to the terms. The letter will be sent per the motion.

Jerry Twombly moved and Dana Clary seconded a motion to adjourn at 9:09 p.m. Motion carried 4-0.

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Mayor

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City Clerk